

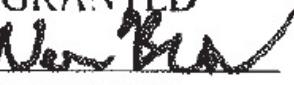


Writer's Direct Dial: 610-822-2229
E-Mail: azivitz@ktmc.com
Please reply to the Radnor Office

May 20, 2022

VIA ECF

Honorable Vernon S. Broderick
United States District Judge
United States District Court
Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square, Courtroom 518
New York, NY 10007

**APPLICATION GRANTED
SO ORDERED** 
VERNON S. BRODERICK
U.S.D.J. 05/24/22

Re: *Sjunde AP-Fonden v. The Goldman Sachs Group, Inc., et al.*, No. 1:18-cv-12084

Dear Judge Broderick:

We represent Lead Plaintiff Sjunde AP-Fonden (“AP7” or “Plaintiff”) in the above-referenced matter. In connection with Plaintiff’s Unopposed Motion for Issuance of Hague Convention Letters of Request for International Judicial Assistance to Obtain Testimony, we write pursuant to Rule 5.B of Your Honor’s Individual Rules and Practices in Civil Cases (“Individual Rules”) to respectfully request leave to file¹:

- i. in redacted form, Plaintiff’s Memorandum of Law in Support of its Unopposed Motion for Issuance of Hague Convention Letters of Request for International Judicial Assistance to Obtain Testimony (“Memorandum of Law”);
- ii. in redacted form, Plaintiff’s Letters of Request, attached as Exhibits A-C to the May 20, 2022 Declaration of Andrew L. Zivitz accompanying the Memorandum of Law (the “Letters of Request”); and
- iii. under seal, the documents appended to Attachment A of the Letters of Request, which Plaintiff seeks to introduce as exhibits during the examinations requested in the respective Letters of Request (the “Letter of Request Exhibits”).

The Letter of Request Exhibits are documents produced by Defendant The Goldman Sachs Group, Inc. (“Goldman”) and have been designated “Confidential” or “Highly Confidential” by counsel for Goldman pursuant to the Stipulated Protective Order entered in this case. ECF No. 135.

¹ As Plaintiff explains in a separate letter to the Court, Plaintiff’s Unopposed Motion supplants its earlier motion seeking the same relief, *see* ECF No. 171, and its request to file under seal concerns the same materials addressed in the earlier request to file under seal. ECF No. 170.

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Plaintiff's Memorandum of Law and Letters of Request reference and quote from the Letter of Request Exhibits.

While AP7 does not believe the Letter of Request Exhibits warrant confidential treatment, we have conferred with counsel for Goldman, and they have not consented to the Letter of Request Exhibits being filed publicly.

Pursuant to Rule 5.B.iii of the Individual Rules, we are contemporaneously filing: (i) a copy of Plaintiff's Memorandum of Law and Plaintiff's Letters of Request containing AP7's proposed redactions; (ii) under seal, an unredacted copy of Plaintiff's Memorandum of Law and Plaintiff's Letters of Request; and (iii) under seal, a copy of each Letter of Request Exhibit.

We thank Your Honor for the Court's attention to this matter.

Respectfully submitted,

S/ Andrew L. Zivitz
Andrew L. Zivitz

cc: All Counsel of Record (via ECF)